



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
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tom.healey@cn.ca

219213



April 23, 2007

**Via Overnight Mail**

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

Office of the  
Public Record

Re: Docket No. AB-31 (Sub-No. 41X), Grand Trunk Western Railroad  
Incorporated — Abandonment Exemption — in Oakland County,  
Michigan

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Grand Trunk Western Railroad Incorporated dated April 23, 2007, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,100.00, representing the appropriate fee for this filing.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

**FEE RECEIVED**

MAY 1 - 2007

**SURFACE  
TRANSPORTATION BOARD**

Respectfully submitted,

Thomas J. Healey  
Attorney for Grand Trunk Western Railroad

MAY 1 - 2007

**FILED**

**SURFACE  
TRANSPORTATION BOARD**

Encls.

cc Gloria Jeff, Director, Michigan Department of Transportation

BEFORE THE  
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-31 (SUB-NO. 41X)

GRAND TRUNK WESTERN RAILROAD INCORPORATED —  
ABANDONMENT EXEMPTION — IN OAKLAND COUNTY, MICHIGAN

ENTERED  
Office of Proceedings  
May 1 2007  
Part of  
Public Record

VERIFIED NOTICE OF EXEMPTION OF  
GRAND TRUNK WESTERN RAILROAD INCORPORATED  
PURSUANT TO 49 C.F.R. § 1152.50

**FILED**  
MAY 1 - 2007  
SURFACE  
TRANSPORTATION BOARD

**FEE RECEIVED**

MAY 1 - 2007

SURFACE  
TRANSPORTATION BOARD

Dated: April 23, 2007

Thomas J. Healey  
17641 S Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-4381  
ATTORNEY FOR  
GRAND TRUNK WESTERN  
RAILROAD INCORPORATED

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

DOCKET NO. AB-31 (SUB-NO 41X)

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GRAND TRUNK WESTERN RAILROAD INCORPORATED —  
ABANDONMENT EXEMPTION — IN OAKLAND COUNTY, MICHIGAN

---

**VERIFIED NOTICE OF EXEMPTION OF  
GRAND TRUNK WESTERN RAILROAD INCORPORATED  
PURSUANT TO 49 C.F.R. § 1152.50**

---

Grand Trunk Western Railroad Incorporated ("GTW") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Orion Township, Oakland County, Michigan referred to herein as a portion of the "Cass City Subdivision" between milepost 7.06 and milepost 6.36, a distance of 0.7 miles.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), GTW submits the following information

**General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)**

GTW is a Class I common carrier by rail which owns and operates approximately 485 miles of rail line in Michigan, Ohio, Indiana and Illinois. Grand Trunk Corporation is a wholly-owned subsidiary of Canadian National Railway Company. The complete name and address of GTW is:

Grand Trunk Western Railroad Incorporated  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345

**Relief Sought: 49 C.F.R. § 1152.22(a)(3)**

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C F R Part 1152, Subpart F, GTW intends to abandon its line of railroad known as a portion of the Cass City Subdivision from milepost 7.06 to milepost 6.36 in Orion Township, Oakland County, Michigan, a distance of 0.7 miles.

**Map: 49 C.F.R. § 1152.22(a)(4)**

A map of the portion of the Cass City Subdivision to be abandoned is attached hereto as Exhibit A.

**GTW's Representative: 49 C.F.R. § 1152.22(a)(7)**

GTW's representative to whom correspondence regarding this abandonment should be sent is

Thomas J. Healey  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-4381

**ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)**

The portion of the Cass City Subdivision to be abandoned traverses United States Postal Service ZIP Code 48359

**Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)**

Per the certificate and verification attached hereto as Exhibit B, GTW certifies that no local revenue traffic has moved over the portion of the Cass City Subdivision to be abandoned for at least the last two years, there is no overhead traffic on the portion of the Cass City Subdivision to be abandoned that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Cass City Subdivision to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding

cessation of service on the proposed abandonment is pending with the Board or any U S. District Court or has been decided in favor of the complainant during the last two years.

**Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

GTW will not consummate the proposed abandonment any earlier than June 11, 2007

**Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)**

The line may be suitable as a trail GTW does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a highly developed urban area with a mature roadway system GTW generally holds fee title on the portion of the Cass City Subdivision to be abandoned Based on information in our possession, the portion of the Cass City Subdivision to be abandoned does not appear to contain any federally granted right-of-way.

**Labor Protection: 49 C.F.R. 1152.50(d)(2)**

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co — Abandonment -- Goshen*, 360 I.C C 91 (1979).

**Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)**

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C

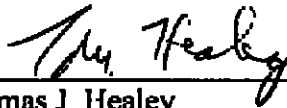
**Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8**

An Environmental Report and Historic Report, prepared pursuant to 49 C F R §§ 1105 7 and 1105.8, were already filed with the Surface Transportation Board in this proceeding.

Since submitting the Environmental Report and Historic Report, GTW has received correspondence from the National Oceanic & Atmospheric Administration. There are no station marks found at the proposed abandonment site. See correspondence attached as Exhibit D

If GTW receives additional correspondence, it will forward copies to the STB

Respectfully submitted.

By   
Thomas J Healey  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-4381

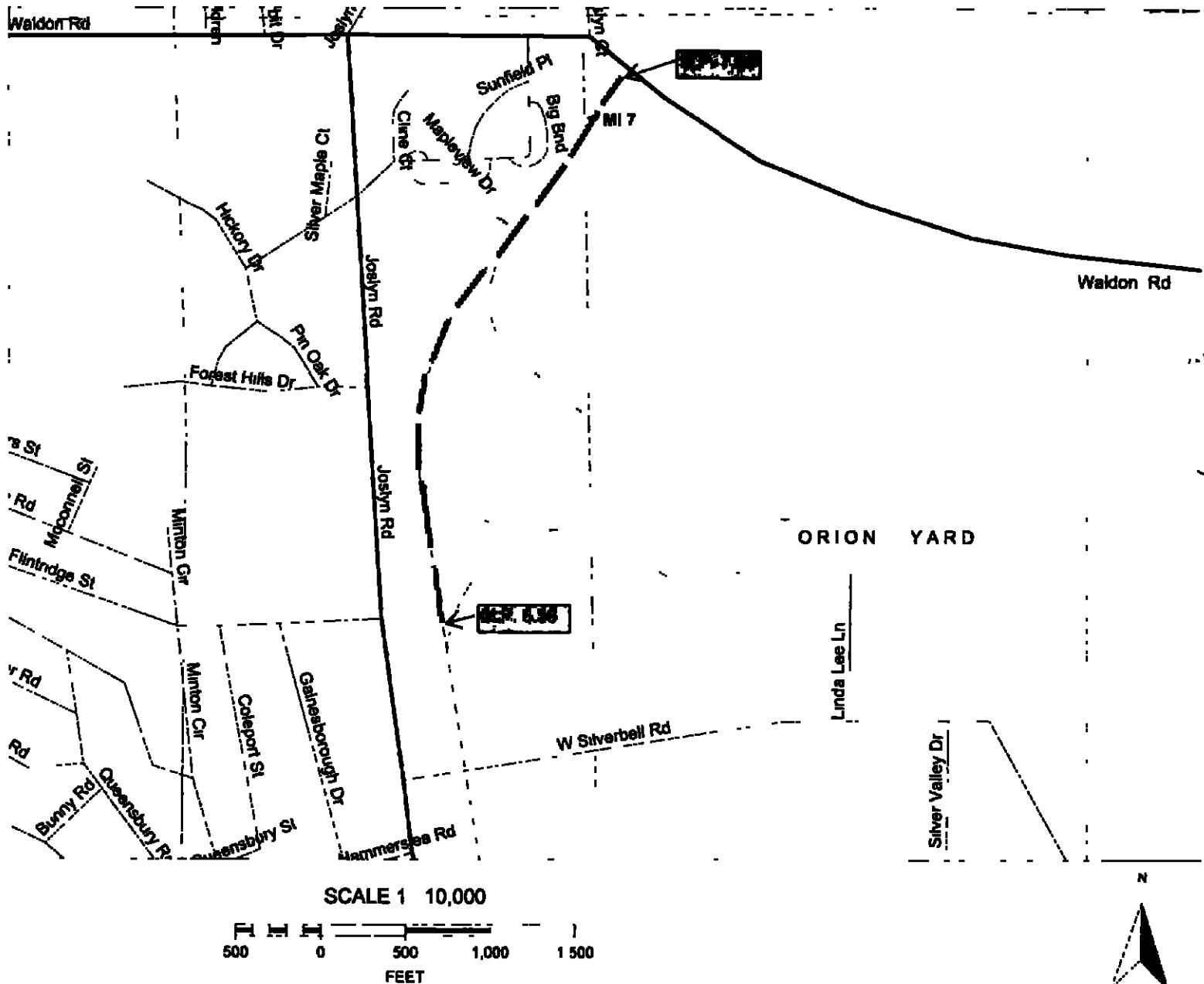
ATTORNEY FOR GRAND TRUNK WESTERN  
RAILROAD INCORPORATED

Dated. April 23, 2007

# CNRP Inc BaseMap

## ORION TOWNSHIP OAKLAND COUNTY MICHIGAN

Zip Code Area 48369



— R.R. LINE TO BE ABANDONED

CASS CITY SUBDIVISION - Milepost 6.36 to 7.06

EXHIBIT A

April 24, 2006

**EXHIBIT B**

**DOCKET NO. AB-31 (SUB-NO. 40X)**

**GRAND TRUNK WESTERN RAILROAD INCORPORATED — ABANDONMENT  
EXEMPTION — IN GENESEE COUNTY, MICHIGAN**

**CERTIFICATE AND VERIFICATION**

STATE OF ILLINOIS       )  
                                      ) ss  
COUNTY OF COOK       )

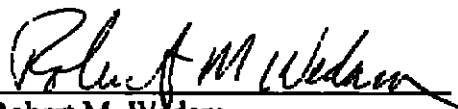
Robert M. Wedam, being duly sworn, deposes and says:

1       That no local traffic has moved over the line of Grand Trunk Western Railroad Incorporated (GTW") from milepost 7.06 to 6.36, a distance of 0.7 miles in Oakland County, Michigan, for at least two years, and that there is no overhead traffic to be rerouted over other lines, and

2.       That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years, and

3       That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Date: April 24, 2007

  
Robert M. Wedam  
Senior Manager – Network Strategies  
Grand Trunk Western Railroad Incorporated

Subscribed and sworn to  
before me this 24 day of  
April, 2007.

  
Notary Public





## **EXHIBIT C**

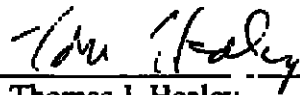
### **CERTIFICATE**

I, Thomas J. Healey, an attorney for Grand Trunk Western Railroad Incorporated, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No AB-31 (Sub-No 41X). Grand Trunk Western Railroad Incorporated — Abandonment Exemption — in Oakland County, Michigan:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On April 11, 2007, written notice was mailed to the: (a) Michigan Department of Transportation, (b) U.S. Department of Defense, MTMCTEA, (c) U.S. Department of Agriculture; and (d) National Center for Recreation and Conservation (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On March 28, 2007, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on September 1, 2006, in The Oakland Press, a newspaper of general circulation in Oakland County, Michigan. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.

  
\_\_\_\_\_  
Thomas J. Healey

Dated: April 23, 2007



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Law

Thomas J. Healey  
Counsel - Regulatory

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

April 11, 2007

Ms. Gloria J. Jeff  
Director  
Michigan Department of Transportation  
425 Ottawa  
P.O. Box 30050  
Lansing, MI 48909

Re. Docket No. AB-31 (Sub-No. 41X), Grand Trunk Western Railroad Incorporated  
Notice of Exemption in Oakland County, Michigan

Dear Director Jeff:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after April 20, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 0.7 mile line of railroad between milepost 7.06 and milepost 6.36 in Oakland County, Michigan. Such line runs through U.S. Postal Zip Code 48359.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey  
Attorney

ATTACHMENT 1



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Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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F - 708-332-4361  
tom.healey@cn.ca

April 11, 2007

United States Department of Defense  
MTMCTEA  
Attn: Railroads for National Defense  
720 Thimble Shoals Blvd, Suite 130  
Newport News, VA 23606-2574

Re: Docket No. AB-31 (Sub-No. 41X), Grand Trunk Western Railroad Incorporated  
Notice of Exemption in Oakland County, Michigan

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after April 20, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 0.7 mile line of railroad between milepost 7.06 and milepost 6.36 in Oakland County, Michigan. Such line runs through U.S. Postal Zip Code 48359.

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Sincerely,

Thomas J. Healey  
Attorney

ATTACHMENT 2



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

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F - 708-332-4361  
tom.healey@cn.ca

April 11, 2007

Mr Dale Bosworth  
Chief, Forest Service  
U S Department of Agriculture  
1400 Independence Ave., S W  
Washington, DC 20250

Re Docket No AB-31 (Sub-No 41X), Grand Trunk Western Railroad Incorporated  
Notice of Exemption in Oakland County, Michigan

Dear Mr Bosworth:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after April 20, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 0.7 mile line of railroad between milepost 7.06 and milepost 6.36 in Oakland County, Michigan. Such line runs through U.S. Postal Zip Code 48359.

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Sincerely,

Thomas J. Healey  
Attorney



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Law

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Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

April 11, 2007

Mr. Thomas Ross  
Division Chief  
National Center for Recreation and Conservation  
National Park Service  
1849 C Street, N.W.  
Org. Code 2220  
Washington, D.C. 20420

Re. Docket No. AB-31 (Sub-No. 41X), Grand Trunk Western Railroad Incorporated  
Notice of Exemption in Genesee County, Michigan

Dear Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Grand Trunk Western Railroad Incorporated shall on or after April 20, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 0.7 mile line of railroad between milepost 7.06 and milepost 6.36 in Oakland County, Michigan. Such line runs through U.S. Postal Zip Code 48359.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey  
Attorney



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Counsel - Regulatory

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tom.healey@cn.ca

March 28, 2007

**Re: Grand Trunk Western Railroad Incorporated Notice of Exemption for Abandonment—  
Oakland County, Michigan—Docket AB-31 (Sub-No. 41X)**

To Whom It May Concern:

Any time on or after April 18, 2007, Grand Trunk Western Railroad Incorporated ("GTW") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 7.06 and milepost 6.36, a distance of 0.7 miles, in Orion Township, Oakland County, Michigan. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 1925 K Street, N.W., Washington, D.C. 20423-0001, (202) 565-1545, and refer to the above docket number.

GTW will file the Environmental Report and Historic Report with the STB on or about April 18, 2007. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey  
Attorney for Grand Trunk Western Railroad  
Incorporated

Encls.

State Historic Preservation Officer  
Library of Michigan  
702 W. Kalamazoo St.  
Lansing, MI 48909

Regional Director  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102

Chief, Spatial Reference System Division  
National Geodetic Survey  
Nat'l Oceanic & Atmospheric Adm.  
1315 East West Highway, Room 8813  
Silver Spring, MD 20910

Mr. Craig Czarnecki  
Field Supervisor  
U S. Fish & Wildlife Service  
2651 Coolidge Road, Suite 101  
East Lansing, MI 48823

Mr. Gary R. Mannesto  
Chief, Regulatory Office  
U.S. Army Corps of Engineers  
Detroit District, PO Box 1027  
Detroit, MI 48231

Ms. Rebecca Humphries  
Director  
Michigan Department of Natural Resources  
PO Box 30028  
Lansing, MI 48909

Mr. Kenneth A. Westlake  
Chief, NEPA Implementation Section  
US EPA, Region 5  
77 W Jackson Blvd.  
Mail Code B-19J  
Chicago, IL 60604-3590

Mr. Russell J. Harding  
Director  
Michigan Department of Environmental Quality  
PO Box 30473-7973  
Lansing, MI 48909

Costal Management Program  
Michigan Department of Environmental Quality  
Land and Water Management Division  
PO Box 30028  
Lansing, MI 48909

Mr. John Bricker  
State Conservationist  
USDA Natural Resources Conservation Service  
3001 Coolidge Road, Suite 250  
East Lansing, MI 48823



Mr. Bill Bullard, Jr.  
Chairman  
Oakland County Board of Commissioners  
1200 North Telegraph Road  
Pontiac, Michigan 48341-0421

Ms Gloria J. Jeff  
Director  
Michigan Department of Transportation  
425 Ottawa, PO Box 30050  
Lansing, MI 48909

County of Oakland } ss.  
STATE OF MICHIGAN,

*Justin M. Cronin* being duly sworn,

deposes and says that I am the *Legal Rep.* of  
THE OAKLAND PRESS, a newspaper printed and circulated  
daily in Oakland County, Michigan, and that I held such position  
during the publication of the notice hereto annexed; that a notice  
of.....

*Public Notice*  
of which the annexed notice is a true copy, was published in the  
said OAKLAND PRESS.....

*DNE* Immediately preceding the  
of *September 1, 2006*, that the annexed printed copy of said notice  
was taken from the said newspaper. That the dates of

publication of said notice were.....

*September 1, 2006*  
and further deponent sayeth not.

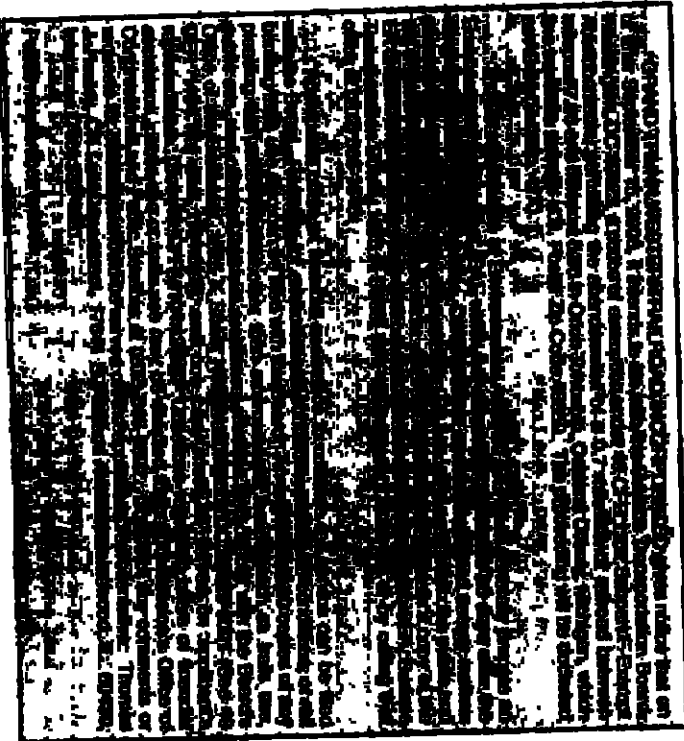
*Justin M. Cronin*

Subscribed and sworn to before me this *1* day of  
*September* A.D. 20 *06*

*Justin M. Cronin*  
NOTARY PUBLIC, OAKLAND COUNTY, MICHIGAN

TRINA M. CROCHIN  
NOTARY PUBLIC LATEER CO., MI  
MY COMMISSION EXPIRES MAR 20, 2008

*acting in Oakland City*



Simon Monroe <Simon.Monroe@noaa.gov>

04/10/2007 05:00 PM

To

tom.healey@cn.ca

cc

Surface Transportation Board <sea@slb.dot.gov>, National Society of  
Professional Surveyors <Dawn.James@acsm.net>, Gilbert Mitchell  
<Gilbert.Mitchell@noaa.gov>, Dave Rigney@noaa.gov

Subject

[Fwd [Fwd NGS Response, STB Docket AB-31 (SUB NO 41X)]]

-----  
Thank you for sharing your railroad abandonment environmental report for  
Oakland County, Lake Orion, Michigan

Approximately 00 geodetic survey marks may be located in the area  
described. If marks will be disturbed by the abandonment, NGS requests  
90-day advance notice to attempt their formal relocation. These marks  
are described on the attached file. Additional advice is provided at  
<http://geodesy.noaa.gov/marks/railroads/>  
-----

Dist	PID...	H V	Vert_Source	Approx.	Approx .	Stab Designation
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No Station Marks Found.

EXHIBIT D